

## REPORT

*Of the Committee of Ways and Means, on the petition of Jonathan Amory, junior.*

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Made, February 3, 1818, and, with a bill for his relief, &c. committed to a committee of the whole House to-morrow.

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The Committee of Ways and Means, to whom has been referred the petition of Jonathan Amory, junr.

## REPORT:

That the petitioner and Thomas C. Amory, since deceased, became bound, in the year 1810, for the appraised value of a ship called the Edward, belonging to George Scott of Savannah, which was seized and libelled for an alleged violation of the law interdicting commercial intercourse between the United States and Great Britain and France. This ship was afterwards condemned, and the insolvency of her owner has thrown the greater part of the loss upon his securities.

In a case essentially the same, (that of the Octavia,) the Secretary of the Treasury has remitted that part of the penalty which accrued to the United States; but the petitioner having paid the amount of his bond into the Treasury can be relieved only by the interposition of Congress.

The Edward was condemned, not because she was engaged in a prohibited trade, (for it is not alleged that any part of her voyage was unlawful, as she did not enter a British port until after the 1st of May, 1810,) but because her owner had not given the bond required by law that she should not go to a prohibited port. That the omission to give this bond could not have resulted from any intention to evade the prohibitions which the bond was designed to enforce, appears in this, that if the bond had been given it would not have been forfeited by the voyage which was performed, or by any which appears to have been contemplated, by the owner. But that the omission to give a bond, (which, in this particular case, would have been harmless to the obligor and useless to the United States,) should be considered as a pardonable error, is, perhaps, proved more strongly by the whole conduct of the owner having been submitted to the knowledge, and in some measure directed by the advice, of the acting collector in Savannah. From these considerations the committee have been induced to report to the House a bill for the relief of Jonathan Amory, junr. and of the representatives of Thomas C. Amory.

